

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934
VOLUME 15 NUMBER 43

Washington, Saturday, March 4, 1950

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Dept. Reg. 108.103]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11 *Designation of differential posts* is amended as follows, effective on the dates indicated:

1. Effective on October 23, 1949, paragraph (a) is amended by the addition of the following post:

Iwo Jima, Bonin Islands.

2. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (a) is amended by the addition of the following posts:

Bucharest, Rumania.
Cebu, Philippines.
Dacca, Pakistan.
Elaziz, Turkey.
Godthaab, Greenland.
La Paz, Bolivia.
Medan, Sumatra, Indonesia.
Meshed, Iran.
Noumea, New Caledonia.
Pichilingue, Ecuador.
Portoviejo, Ecuador.
Puerto la Cruz, Venezuela.
Pusan, Korea.
Sofia, Bulgaria.
Tabriz, Iran.
Tingo Maria, Peru.
Zagreb, Yugoslavia.

3. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (b) is amended by the addition of the following posts:

Amman, Jordan.
Belgrade, Yugoslavia.
Fortaleza, Brazil.
Guayaquil, Ecuador.
Leopoldville, Belgian Congo.

4. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (c) is amended by the addition of the following posts:

Haifa, Israel.
Jerusalem, Palestine.
Mombasa, Kenya.

5. Effective as of the beginning of the first pay period following March 4, 1950,

paragraph (d) is amended by the addition of the following posts:

Budapest, Hungary.
Lindholm Island, Denmark.
Popayan, Colombia.
Salvador, Bahia, Brazil.
San Pedro Sula, Honduras.

6. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (a) is amended by the deletion of the following posts:

Amman, Jordan.
Belgrade, Yugoslavia.
Fortaleza, Brazil.
Guayaquil, Ecuador.
Haifa, Israel.
Jerusalem, Palestine.
Leopoldville, Belgian Congo.
Mombasa, Kenya.
San Pedro Sula, Honduras.

7. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (b) is amended by the deletion of the following posts:

Bucharest, Rumania.
Cebu, Philippines.
Dacca, Pakistan.
Elaziz, Turkey.
La Paz, Bolivia.
Meshed, Iran.
Pichilingue, Ecuador.
Puerto la Cruz, Venezuela.
Pusan, Korea.
Sofia, Bulgaria.
Tabriz, Iran.
Tingo Maria, Peru.
Zagreb, Yugoslavia.

8. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (c) is amended by the deletion of the following posts:

Budapest, Hungary.
Godthaab, Greenland.
Lourenco Marques, Mozambique.
Popayan, Colombia.
Salvador, Bahia, Brazil.

9. Effective as of the beginning of the first pay period following March 4, 1950, paragraph (d) is amended by the deletion of the following posts:

Alexandria, Egypt.
Caracas, Venezuela.
Izmir, Turkey.
Kingston, Jamaica.
Mazatlan, Mexico.
Medan, Sumatra, Indonesia.
Noumea, New Caledonia.
Santiago de Cuba, Cuba.

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

JOHN E. PEURIFOY,
Deputy Under Secretary.

MARCH 1, 1950.

[F. R. Doc. 50-1838; Filed, Mar. 3, 1950; 9:37 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[B. E. P. Q. 576, Rev.]

PART 319—FOREIGN QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM REQUIREMENTS OF NURSERY STOCK, PLANT, AND SEED QUARANTINE

Pursuant to the first proviso of Nursery Stock, Plant, and Seed Quarantine No. 37 (7 CFR 319.37 (a)), the Chief of the Bureau of Entomology and Plant

Quarantine hereby amends administrative instructions exempting certain restricted articles from some of the requirements of the nursery stock, plant, and seed quarantine regulations (7 CFR 319.37-2a, B. E. P. Q. 576; 14 F. R. 1167, effective March 15, 1949) to read as follows:

§ 319.37-2a *Administrative instructions exempting certain restricted articles from some of the requirements of the Nursery Stock, Plant, and Seed Quarantine Regulations.* The following articles are hereby exempted from the requirements of the regulations specified below:

Restricted plant material (except *Aglaonema*) for food, analytical, medicinal, or manufacturing purposes, enterable under § 319.37-2, is hereby exempted from the notice of arrival requirements of § 319.37-11.

All seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character (except seeds of *Lathyrus*, *Vicia*, and *okra*), enterable under § 319.37-4, are hereby exempted from the notice of arrival requirements of § 319.37-11 when the inspector at any port shall find and shall so inform the importers concerned that equivalent information is obtainable from ships' manifests or other sources and that the notice of arrival requirements are being waived.

All grains and cereals from Canada which are restricted plant material enterable under § 319.37-2 are hereby exempted from the provisions of §§ 319.37-7, 319.37-8, 319.37-9, 319.37-11, 319.37-15, and 319.37-16, relating respectively to costs and charges, inspection, treatment, notice of arrival, freedom from soil, and approved packing materials.

These instructions shall be effective March 6, 1950.

The purpose of this amendment is to add to present exemptions a waiver of notice of arrival requirements insofar as they apply to certain seeds when an inspector at any port shall find and shall so inform interested importers that equivalent information is obtainable from ships' manifests or other sources and that such requirements are so waived. Essential information concerning such shipments is usually obtainable from ships' manifests. In such cases, it is no longer considered necessary to require the furnishing of a notice of arrival. To this extent, the amendment relieves restrictions heretofore imposed. At some of the larger ports, however, operational procedures are such that it is impracticable to waive the notice of arrival requirements for these articles.

It is important that shippers be afforded this relief at the earliest possible date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that notice and public procedure on this amendment are impracticable and contrary to the public interest, and good cause is found for the issuance of the amendment effective less than 30 days after its publication in the FEDERAL REGISTER.

(Sec. 3, 33 Stat. 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 143, 162)

Done at Washington, D. C., this 23d day of February 1950.

[SEAL] AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 50-1781; Filed, Mar. 3, 1950; 8:53 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 316, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. (1) Pursuant to the provisions of Order No. 66 (7 CFR Part 966; 14 F. R. 3614) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (i) of § 966.462 (Orange Regulation 316, 15 F. R. 1028 are hereby amended to read as follows:

- (i) *Valencia oranges.* (a) Prorate District No. 1: No movement;
- (b) Prorate District No. 2: Unlimited movement;
- (c) Prorate District No. 3: Unlimited movement.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 3d day of March 1950.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 50-1848; Filed, Mar. 3, 1950; 11:19 a. m.]

[Orange Reg. 317]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.463 *Orange Regulation 317—(a) Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on March 2, 1950; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., March 5, 1950, and ending at 12:01 a. m., P. s. t., March 12, 1950, is hereby fixed as follows:

RULES AND REGULATIONS

(1) Valencia oranges. (a) Prorate District No. 1: No movement;
(b) Prorate District No. 2: Unlimited movement;

(c) Prorate District No. 3: Unlimited movement.

(11) Oranges other than Valencia oranges. (a) Prorate District No. 1: Unlimited movement;

(b) Prorate District No. 2: 950 carloads;

(c) Prorate District No. 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as given to the respective term in § 966.107 of the current rules and regulations (14 F. R. 6588) contained in this part.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 3d day of March 1950.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Mar. 5, 1950, to 12:01 a. m. Mar. 12, 1950]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.5695
A. F. G. Corona	.0931
A. F. G. Fullerton	.0394
A. F. G. Orange	.0333
A. F. G. Riverside	.6691
A. F. G. Santa Paula	.0378
Eadington Fruit Co.	.1822
Hazeltine Packing Co.	.1569
Placentia Pioneer Valencia Growers Association	.0545
Signal Fruit Association	1.1102
Azusa Citrus Association	1.0747
Damerel-Allison Co.	1.0342
Glendora Mutual Orange Association	.4734
Puente Mutual Citrus Association	.0388
Valencia Heights Orchard Association	.2030
Covina Citrus Association	1.3039
Covina Orange Growers Association	.4553
Glendora Citrus Association	.9746
Gold Buckle Citrus Association	3.8426
La Verne Orange Association	3.3646
Anaheim Citrus Fruit Association	.0514
Anaheim Valencia Orange Association	.0000
Fullerton Mutual Orange Association	.2385
La Habra Citrus Association	.0958

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Orange County Valencia Association	0.0120
Orangethorpe Citrus Association	.0197
Yorba Linda Citrus Association	.0195
Escondido Orange Association	.4405
Alta Loma Heights Citrus Association	.8200
Citrus Fruit Growers	.8832
Cucamonga Citrus Association	.4106
Etiwanda Citrus Fruit Association	.2490
Mountain View Fruit Association	.1171
Old Baldy Citrus Association	.3711
Rialto Heights Orange Growers	.5250
Upland Citrus Association	2.5845
Upland Heights Orange Association	1.1770
Consolidated Orange Growers	.0245
Frances Citrus Association	.0033
Garden Grove Citrus Association	.0304
Goldenwest Citrus Association	.1360
Olive Heights Citrus Association	.0383
Santa Ana-Tustin Mutual Citrus Association	.0128
Santiago Orange Growers Association	.1059
Tustin Hills Citrus Association	.0184
Villa Park Orchard Association	.0232
Bradford Brothers, Inc.	.2283
Placentia Cooperative Orange Association	.0000
Placentia Mutual Orange Association	.1757
Placentia Orange Growers Association	.1871
Yorba Orange Growers Association	.0381
Call Ranch	.5801
Corona Citrus Association	.9902
Jameson Co.	.4131
Orange Heights Orange Association	1.8252
Crafton Orange Growers Association	1.5799
East Highlands Citrus Association	.4452
Fontana Citrus Association	.4645
Redlands Heights Groves	.9831
Redlands Orangedale Association	1.1087
Break & Son, Allen	.2456
Bryn Mawr Fruit Growers	1.0514
Mission Citrus Association	.9653
Redlands Cooperative Fruit Association	1.6845
Redlands Orange Growers Association	1.1713
Redlands Select Groves	.4923
Rialto Citrus Association	.5497
Rialto Orange Co.	.4125
Southern Citrus Association	1.1225
United Citrus Growers	.6049
Zillen Citrus Co.	.3020
Andrews Bros. of California	.2233
Arlington Heights Citrus Co.	.9035
Brown Estate, L. V. W.	1.7658
Gavilan Citrus Association	1.8986
Highgrove Fruit Association	.6310
Krinar Packing Co.	1.6195
McDermont Fruit Co.	1.3983
Monte Vista Citrus Association	1.3645
National Orange Co.	1.0029
Riverdale Heights Orange Growers Association	1.1045
Sierra Vista Packing Association	.8196
Victoria Avenue Citrus Association	2.6621
Claremont Citrus Association	.9524
College Heights Orange & Lemon Association	1.7994
Indian Hill Citrus Association	1.1862
Pomona Fruit Growers Exchange	1.7610
Walnut Fruit Growers	.5366
West Ontario Citrus Association	1.1986
El Cajon Valley Citrus Association	.2313

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Escondido Cooperative Citrus Association	0.0359
San Dimas Orange Growers Association	1.0794
Canoga Citrus Association	.0972
Covina Valley Orange Co.	.0290
North Whittier Heights Citrus Association	.1429
San Fernando Fruit Growers Association	.3859
San Fernando Heights Orange Association	.2262
Sierra Madre-Lamanda Citrus Association	.1904
Camarillo Citrus Association	.0089
Fillmore Citrus Association	.9782
Ojai Orange Association	.7922
Piru Citrus Association	.9481
Rancho Sespe	.0016
Santa Paula Orange Association	.0830
Tapo Citrus Association	.0077
Ventura County Citrus Association	.0309
East Whittier Citrus Association	.0083
Whittier Citrus Association	.1424
Whittier Select Citrus Association	.0000
Anaheim Cooperative Orange Association	.0388
Bryn Mawr Mutual Orange Association	.5330
Chula Vista Mutual Lemon Association	.0923
Euclid Avenue Orange Association	2.8038
Foothill Citrus Union, Inc.	.2862
Fullerton Cooperative Orange Association	.0108
Golden Orange Groves, Inc.	.2589
Highland Mutual Groves, Inc.	.2792
Index Mutual Association	.0041
La Verne Cooperative Citrus Association	3.0927
Mentone Heights Association	.8010
Olive Hillsde Groves	.0104
Orange Cooperative Citrus Association	.0370
Redlands Foothill Groves	2.7240
Redlands Mutual Orange Association	1.1236
Ventura County Orange & Lemon Association	.2420
Whittier Mutual Orange & Lemon Association	.0245
Allee Bros.	.0036
Babijuce Corp. of California	.4953
Banks, L. M.	.0099
Borden Fruit Co.	.0197
Bostick, Mrs. Mattie Welsh	.0099
California Associated Growers	.0000
Cherokee Citrus Co., Inc.	1.1466
Chess Co., Meyer W.	.5353
Coate, Elwood E.	.0028
Dunning Tanch	.1625
Evans Bros. Packing Co.	1.2790
Gold Banner Association	2.2472
Granada Hills Packing Co.	.0195
Granada Packing House	1.1201
Hill, Fred A., Packing House	.8194
Knapp Packing Co., John C.	.0159
Orange Belt Fruit Distributors	2.7743
Panno Fruit Co., Carlo	.0259
Paramount Citrus Association	.3424
Placentia Orchard Co.	.0772
Prescott, John A.	.0066
Riverside Citrus Association	.1846
Russell, John W.	.0008
San Antonio Orchard Co.	1.4473
Snyder & Sons Co., W. A.	.0000
Stephens, T. F.	.1158
Torn Ranch	.0192
Wall, E. T., Growers-Shippers	1.8990
Western Fruit Growers, Inc.	3.5686

[F. R. Doc. 50-1849; Filed, Mar. 3, 1950; 11:19 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—National Guard and State Guard, Department of the Army

PART 1101—NATIONAL GUARD REGULATIONS

COMMISSIONED OFFICERS

In § 1101.2, paragraphs (c) and (d) are rescinded and the following substituted therefor:

§ 1101.2 Federal recognition. . . .

(c) *Persons eligible*—(1) *For Army National Guard*. Persons commissioned as officers of the National Guard will not be recognized as such under any of the provisions of §§ 1101.1 through 1101.6 unless they will have been selected from the following classes, and will have taken and subscribed to the oath of office prescribed in section 73 of the National Defense Act.

(1) *Initial procurement*—(a) *From wartime officers*—(1) *Above the grade of second lieutenant*. In the initial reorganization of the National Guard, Federal recognition and appointment in the National Guard of the United States above the grade of second lieutenant will be limited to those officers who have served honorably in active Federal service in the armed forces of the United States for a period of at least 6 months since December 7, 1941, and prior to June 30, 1947, and who, while in that service, have demonstrated their qualifications by actual service in the grade or position contemplated, or by the satisfactory discharge of duties of corresponding and equal responsibility.

(2) *From second lieutenants*. Officers who served in the grade of second lieutenant or corresponding grade in the armed forces of the United States for a period of at least 6 months since December 7, 1941, and prior to June 30, 1947, are eligible for Federal recognition and appointment in the National Guard of the United States.

(b) *From warrant officers and enlisted men*—(1) *Higher grades*. Warrant officers and enlisted men of the first three grades who have served honorably in active Federal service in the armed forces of the United States for a period of at least 6 months since December 7, 1941, and who may be nominated for appointment as second lieutenants, may be exempted from attendance at an officer candidate school by examining boards when their wartime experience clearly satisfies the required standards: *Provided*, That second lieutenants may be procured from among recent graduates of the Reserve Officers' Training Corps or officer candidate schools.

(2) *Former enlisted men*. Former enlisted personnel with a minimum of 6 months of active service in the Army of the United States or one of its components between December 7, 1941, and June 30, 1947, who are graduates of accredited colleges and universities, who have not passed their twenty-eighth birthday at the time of appointment, and who have attended an institution where ROTC advanced training is non-existent, or when the academic training

period prior to graduation was not of sufficient duration for the individual to complete the advanced ROTC course.

(3) *Former prisoners of war*. An individual who, while serving as a warrant officer, flight officer, or as an enlisted man in one of the first three grades, was recommended for or tendered appointment to commissioned grade, but who was taken prisoner of war thereby foregoing final action on the recommendation for or acceptance of appointment, may apply for examination for appointment as first lieutenant in an appropriate arm or service of the National Guard of the United States: *Provided*, That all service subsequent to original recommendation has been honorable and the applicant will not have reached his thirty-fifth birthday on date of appointment. In view of the fact that an individual eligible for appointment hereunder has demonstrated his ability for commissioned status, and was prevented from securing such status by circumstances beyond his control, examining boards will give his application special consideration. This applies whether the applicant is now in the active military service or has been separated from the active military service.

(c) *Specialists from other sources*. (1) *Wartime service or previous military training* are not required for appointment and Federal recognition in the National Guard of clergymen as chaplains, doctors as medical officers, dentists as dental officers, and officers assigned to State Headquarters and Headquarters Detachments. Officers assigned to State Headquarters and Headquarters Detachments will not be eligible for reassignment to other units without meeting the full requirements for age-in-grade, age on appointment, World War II service, and physical conditions.

(2) If a candidate for appointment has had such wartime service or previous military training, the record of that service and training will be considered in determining general suitability for the position to which appointed.

(3) Maximum age-in-grade requirements established in paragraph (d) (1) (iii) (b) of this section apply to these officers, except officers for assignment to State Headquarters and Headquarters Detachments. Maximum age-in-grade restrictions will not apply in the appointment of officers assigned to State Headquarters and Headquarters Detachments.

(4) Grades to which appointed and in which recognized are those specified in the table of organization and equipment of the unit to which assigned except as indicated in paragraph (e) of § 1101.1.

(5) Requirements for professional accreditation and professional experience will be those specified in Army Regulations for the appropriate grades.

(ii) *Continuing procurement*. After initial reorganization, commissioned officers will be obtained from the following sources:

(a) Individuals with honorable and creditable service as commissioned officers in any of the armed services of the United States.

(b) Graduates of accredited senior Reserve Officer Training Corps units.

(c) Graduates of officer candidate schools and graduate aviation cadets.

(d) Flight officers who have served honorably and creditably in time of war.

(e) Specialists as provided in subparagraph (1) (1) (c) (1) of this paragraph.

(f) Officers of the Organized Reserve Corps.

NOTE: A civilian officer or employee of the United States or the District of Columbia, who is appointed an officer of the National Guard, will not be federally recognized without the consent of the head of the department or service in which he is employed.

(g) (1) Warrant officers and enlisted men of Army units, not less than 21 nor more than 32 years of age, who have completed a minimum of one year's service with the armed forces, or the National Guard, or a combination of the two, prior to the date of appointment, and have successfully completed such sub-courses as are contained in the 10-series of the Army extension courses, and have been recommended by an examining board for appointment or commission with waiver, and are otherwise qualified: *Provided*, That effective July 15, 1950, no such warrant officer or enlisted man shall be appointed or commissioned if he has passed his 28th birthday.

(2) By reason of non-availability of extension courses with which to qualify, warrant officers and enlisted men whose 32d birthday is subsequent to July 15, 1948, but not later than July 15, 1949, are granted a time extension of one year, effective July 15, 1949. These warrant officers and enlisted men may be appointed or commissioned on or before July 15, 1950, under the provisions of this subparagraph upon successful completion of the prerequisites set forth in (1) of this subdivision, notwithstanding the fact that they will have passed their 32d birthday at time of appointment.

(2) *For Air National Guard*. Persons commissioned as officers in the Air National Guard will not be federally recognized as such unless they have been selected from the following classes, are otherwise qualified as determined by a Federal recognition board of officers, and have taken and subscribed to the oath of office prescribed in section 73 of the National Defense Act.

(1) *Above the grade of second lieutenant*. Federal recognition and original appointment in the Air National Guard of the United States above the grade of second lieutenant will be limited to those individuals who have served honorably as officers in any component of the Armed Forces of the United States, either in an active duty status or an inactive duty status, and who, while in that service, have demonstrated their qualifications by actual service in the grade or position contemplated, or by the satisfactory discharge of duties of corresponding and equal responsibility. This provision is not applicable to applicants for appointment as medical or dental officers, and chaplains (see subdivision (iii) of this subparagraph).

(ii) *To the grade of second lieutenant*. (a) Officers who have served honorably in the grade of second lieutenant or corresponding grade in any component of the Armed Forces of the United States

either in an active duty status or an inactive duty status, are eligible for Federal recognition and appointment in the Air National Guard of the United States in the grade of second lieutenant.

(b) Individuals who have attained and served in the grade of warrant officer, flight officer, or one of the first three enlisted grades under honorable conditions (whether attained in active Federal service or while as a member of the Air National Guard) and who meet the qualification standards are eligible for appointment as second lieutenant. Individuals who qualify under the provisions of this subparagraph by virtue of Air National Guard service only must have completed a minimum of 1 year of service in the Air National Guard to be eligible for appointment.

(c) Individuals who served in the Navy, Marine Corps, or Coast Guard under honorable conditions and attained a grade equivalent to that of warrant officer, flight officer, or one of the first three enlisted grades (whether attained in active Federal service or while a member of an active organized unit of the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve) and who meet the qualification standards are eligible for appointment as second lieutenant. Individuals who qualify under the provisions of this paragraph by virtue of service in the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve, must have completed a minimum of 1 year of service in such reserve component to be eligible for appointment.

(d) Individuals eliminated from Aviation Cadet training of the United States Air Force or United States Navy for failure to meet flying training standards, are eligible for appointment as second lieutenant. Individuals eliminated from Aviation Cadet training of the United States Air Force or United States Navy for failure to meet academic standards, disciplinary, or other prejudicial reasons are not eligible for appointment under this subparagraph.

(e) Individuals eliminated from one of the Service Academies of the Armed Forces for failure to meet academic standards, who meet the qualification standards, are eligible for appointment as second lieutenant. Individuals eliminated from one of the Service Academies of the Armed Forces for disciplinary or other prejudicial reasons are not eligible for appointment under this subparagraph.

(f) Individuals referred to in (b) of this subdivision, who were recommended for or tendered an appointment to commissioned grade between December 7, 1941, and August 14, 1945, but who were taken prisoner of war, thereby foreclosing final action on the recommendation for or acceptance of appointment, may apply for appointment as first lieutenant. Individuals applying under this subparagraph must, in the absence of official records to substantiate claims of having been recommended for or tendered appointment, procure and submit a certificate from one or more disinterested officers or former officers substantiating such claim.

(g) Individuals otherwise eligible under (b) and (c) of this subdivision, but whose service was or is in a grade lower than one of the first three enlisted grades, who are graduates of an accredited college or university where ROTC advanced training was non-existent at time of attendance, or whose academic training period prior to graduation was not of sufficient duration for the individual to complete the advanced ROTC course, are eligible for appointment as second lieutenant.

(h) Waivers for the maximum age limitation for second lieutenant may be granted until July 1, 1953. For this interim period an applicant applying for an appointment as second lieutenant who will not exceed the 30th anniversary of his birth on July 1, of the calendar year in which he submits his application, may request a waiver to the maximum age requirement above. Request for age waiver will be attached to the application.

(i) Graduates of the senior division Air ROTC program who are initially appointed in the United States Air Force Reserve are eligible for appointment in the Air National Guard as second lieutenants provided they meet the qualification standards. No prior active Federal service or Air National Guard service is required of these candidates for appointment in the Air National Guard.

(j) For all appointments to officer status under the provisions of subdivisions (i) and (ii) (a) through (g) of this subparagraph, a minimum of six months active Federal service, performed at any time during the period December 7, 1941, to date of appointment, is a requirement, except that candidates who qualify for appointment under the provisions of (b) and (c) of this subdivision by reason of having completed the minimum service of 1 year as a member of the Air National Guard or as a member of an active organized unit of the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve, are not required to have the six months active Federal service.

(iii) *Flight surgeons, dentists, and chaplains.* (a) Wartime service or previous military training are not required for appointment and Federal recognition in the Air National Guard of the United States of doctors as flight surgeons, dentists as dental officers, and clergymen as chaplains. If the candidate for appointment has had wartime service or previous military training, the record of that service or training will be considered in determining general suitability for the position and grade for which the candidate is an applicant.

(b) Age-in-grade limitations established in paragraph (d) (2) (1) of this section apply to these officers.

(c) Grades to which appointed and in which recognized are those specified in the applicable Table of Organization and Equipment.

(d) Requirements for professional accreditation and professional experience will conform to those specified in Air Force Regulations.

(e) Doctors appointed and federally recognized as medical officers in the Air National Guard and who do not have a

rating of flight surgeon must obtain such rating by the successful completion of the Aviation Medical Examiner's Course conducted at Randolph Air Force Base, Texas, prior to January 1, 1951. Failure to complete this course before the above stated time limit will be cause for termination of commission in the Air National Guard.

(iv) *Officers for State Headquarters and Headquarters Detachments.* Requirements for appointment as officers to be assigned to State headquarters and Headquarters Detachments are the same as for all other officers appointed in the Air National Guard, except for age-in-grade limitations. The age limit for these officers is 60 years for all grades.

(d) *Requirements for recognition—*
(1) *For Army National Guard.* The Chief, National Guard Bureau, will not grant Federal recognition to an officer until he has evidence that the following requirements have been met:

(i) *Residence.* The candidate must live in the vicinity of the unit to which he is to be assigned.

(ii) *Assignment—(a) To a unit.* The unit must be recognized.

(b) *To a headquarters.* The headquarters must be recognized.

(c) *To split units.* The provisions of this paragraph apply to all split units.

(d) *To State Headquarters—(1) Adjutant general or assistant adjutant general.* A person appointed adjutant general, or assistant adjutant general, of a State may be recognized in any arm or service. Authorized grades for recognition will conform to the allotment prescribed by the Chief, National Guard Bureau for State Headquarters. If the grade authorized is that of a general officer, the candidate must qualify for Federal recognition under the requirements prescribed for general officers of appropriate grades in the National Guard. All qualifications prescribed by Federal law and this part must be met before recognition will be granted. When recognized a State adjutant general, or assistant adjutant general, comes under the same regulations as apply to other recognized officers.

(2) *Branch immaterial assignments.* A person appointed as an officer of the National Guard and assigned to a State Headquarters for selective service duty, or as United States property and disbursing officer, inspector general, or maintenance officer may be recognized in any arm or service. Authorized grades for recognition will conform to the allotment prescribed by the Secretary of the Army for State Headquarters.

(3) *Other State Headquarters officers.* A person appointed as an officer of the National Guard and assigned to the State Headquarters may be recognized in any arm or service. These positions will be referred to as Staff and Administrative. Authorized grades for recognition will conform to the allotment prescribed by the Secretary of the Army.

(4) *Total number and grade.* The total number and grades of officers recognized for the State Headquarters in any State will not exceed the total authorized in the approved allotment of grades and vacancies for State Headquarters.

(iii) *Age (effective until January 1, 1951)*—(a) *For initial recognition.* No candidate will be examined for recognition who is less than 21 or more than 59 years old, nor unless his age is such that he can serve at least 1 year before recognition will be terminated under age limitations as set forth in (b) of this subdivision. When a candidate already holds a commission in another component in the same or a higher grade than that for which he is applying for recognition, his appointment as an officer of the National Guard of his State shall not be taken as an "original commission" within the meaning of the foregoing sentence and he will be recognized in the grade in which appointed provided his age is such that he can serve at least 1 year before recognition will be terminated under the age-in-grade limitations. For other than air units, no candidate for direct appointment as second lieutenant from former warrant officers and enlisted men of the first three grades will be more than 32. A candidate will be considered over the maximum age for appointment upon reaching the birthday anniversary of the year above prescribed.

(b) *For continued recognition.* The following maximum age-in-grade limitations are established for officers of the National Guard except those assigned to State Headquarters and Headquarters Detachments. An officer will be considered over the maximum age for his grade upon reaching the birthday anniversary of the year prescribed.

Assignment	Lieutenant	Captain	Major	Lieutenant Colonel	Colonel
Army units, except Medical, Dental, Chaplain, and Judge Advocate General's Corps	35	42	47	52	55
Medical, Dental, and Chaplain's Corps	43	46	51	55	60
Judge Advocate General's Corps	—	46	51	55	60

(iv) *Examination.* The candidate must pass such physical, moral, and professional tests as the President may prescribe, except that waivers of strict physical requirements may be granted officers assigned to State Headquarters and Headquarters Detachments, provided the defect is static in nature, not subject to complications or aggravation by reason of military duty; will not necessitate hospitalization or time-loss from duty, and will not interfere with the satisfactory performance of his military duty in his particular assignment.

(v) *Citizenship.* The candidate must be a citizen of the United States.

(vi) *As chaplain*—(a) *Civilian experience*—(1) *For first lieutenant.* Applicant must be actively engaged in the ministry as his principal vocation in life.

(2) *For captain.* Applicant must be actively engaged in the ministry as his principal vocation in life for a minimum of four (4) years, including at least one year's experience as a clergyman in the denomination by which accredited.

(b) *Ecclesiastical indorsement.* Each applicant must be regularly ordained, duly accredited by, and in good standing

with a religious denomination or organization holding an apportionment of chaplains in accordance with the needs of the service. This indorsement should be requested by the applicant from his appropriate indorsing agency and submitted with NGB Form 62 (Application for Federal Recognition).

(c) *Educational qualifications.* Transcript of credits to accompany application must indicate:

(1) A minimum of 120 semester hours credit of undergraduate study performed in a recognized college.

(2) A minimum of 90 semester hours credit of graduate study performed in a recognized theological school.

(2) *For Air National Guard*—(i) *Age requirements (effective until January 1, 1951)*—(a) *For initial recognition.* No candidate will be examined for recognition who is less than 21 or more than 59 years old, nor unless his age is such that he can serve at least 1 year before recognition would be terminated under age limitations as set forth in (b) of this subdivision, except that: For rated officers in tactical units, no candidate for original commission as second lieutenant will be more than 27; as first lieutenant more than 32; as captain more than 37; as major more than 40; as lieutenant colonel more than 43; as colonel more than 45. When a candidate already holds a commission in another component in the same or a higher grade than that for which he is applying for recognition, his appointment as an officer of the Air National Guard of his State shall not be taken as an "original commission" within the meaning of the foregoing sentence and he may be recognized in the grade in which appointed provided his age is such that he can serve at least 1 year before recognition would be terminated under the age-in-grade limitations in (b) of this subdivision. For other than rated officers, no candidate for direct appointment as second lieutenant will be more than 28 years old (see par. (c) (2) (ii) (h) of this section). A candidate will be considered over the maximum age for appointment upon reaching the birthday anniversary of the pertinent age-in-grade limitations above prescribed.

(b) *For continued recognition.* (1) The following maximum age-in-grade limitations are established for officers of the Air National Guard. An officer will be considered over the maximum age-in-grade upon reaching the birthday anniversary of the year prescribed.

Assignment	Lieutenant	Captain	Major	Lieutenant Colonel	Colonel
Rated officers assigned to tactical flying units and tactical Hq below Wing level	36	41	44	47	49
All other officers assigned to T/O & E units	38	42	48	55	60
Flight surgeons, dentists and chaplains	43	46	51	55	60
State Headquarters and Headquarters Detachments	60	60	60	60	60

(2) An officer who has reached the maximum age-in-grade for tactical flying units and headquarters below Wing

level may be given an assignment to a command or staff position within the available vacancies in other type units or headquarters.

(3) Waivers of the maximum age-in-grade provisions, effective for not more than 1 year, or until an officer is qualified and is considered for Federal recognition, whichever shall come first, may be granted by the Chief, National Guard Bureau, upon application thereto in the following cases:

(i) Individuals who reach the maximum age-in-grade for the grade held and who are qualified for promotion but who, due to lack of position vacancy, have not been considered for Federal recognition, and

(ii) Officers, who upon attaining the maximum age-in-grade, require less than 1 year in grade to complete the minimum service in grade provisions.

(4) Maximum age-in-grade for a major general is 62 years, and for a brigadier general 60 years.

(i) *Citizenship.* The candidate must be a citizen of the United States.

(iii) *Educational requirements for certain applicants.* Applicants not previously commissioned in the Armed Forces of the United States must have successfully completed at least two years of college education from an accredited college or university; i. e., attained fifty percent of the credits required for attainment of a baccalaureate degree. Applicants who do not meet the foregoing educational requirement, may qualify by passing the educational test prescribed for Aviation Cadet officer candidate applicants. Applicants who do not possess two years of college must submit with their application evidence of graduation from a high school or an accredited preparatory school of equivalent level before authority may be granted to take the above test. No waivers of this educational requirement will be granted.

(iv) *Maintenance of proficiency and service-in-grade.* (a) An officer must maintain his professional proficiency as evidenced by earning at least an average of 35 promotion points annually during any 3-year period, as well as have earned the required total number of promotion points as prescribed in Air Force Regulations.

(b) Completed minimum time of service-in-grade.

(v) *Examination.* The candidate must pass such physical, moral and professional tests as the President may prescribe, except that waivers of strict physical requirements may be granted officers assigned to State Headquarters and Headquarters Detachments, provided the defect is static in nature, not subject to complications or aggravation by reason of military duty; will not necessitate hospitalization or time loss from duty, and will not interfere with the satisfactory performance of his military duty in his particular assignment.

(vi) *Statement of loyalty.* Each applicant for appointment as an officer in the Air National Guard must complete a statement affirming his loyalty to the Government of the United States as required.

(vii) *Residence.* The applicant must live in the vicinity of the unit to which he is to be assigned.

(viii) *Assignment—(a) To a unit.* The unit must be recognized.

(b) *To a headquarters.* The headquarters must be recognized.

(c) *To a State Headquarters—(1) Adjutant general or assistant adjutant general.* A person appointed adjutant general, or assistant adjutant general, of a State may be recognized by the Department of the Army or the Department of the Air Force. Authorized grades for recognition will conform to the grade structure prescribed by the Chief, National Guard Bureau for State headquarters. If the grade authorized is that of a general officer, the candidate must qualify for Federal recognition under the requirements prescribed for general officers of appropriate grades in the Air National Guard. All qualifications prescribed by Federal law and this subparagraph must be met before recognition will be granted. When recognized, a State adjutant general, or assistant adjutant general, comes under the same regulations as apply to other recognized officers.

(2) *Other State Headquarters officers.* A person appointed as an officer of the Air National Guard and assigned to the State Headquarters may be recognized in any military occupational specialty. These positions will be referred to as Staff and Administrative. Authorized grades for recognition will conform to the grade structure prescribed by the Chief, National Guard Bureau.

(3) *Total number and grade.* The total number and grades of officers recognized for the State Headquarters in any State, whether recognized by the Department of the Army or the Department of the Air Force, will not exceed the total authorized in the approved quota, of grades and positions for the State Headquarters as prescribed in National Guard Regulations.

[NGB Cir. 19, Nov. 28, 1949] (Sec. 118, 39 Stat. 213; 32 U. S. C. 17)

[SEAL] EDWARD F. WITSELL,
Major General, U. S. A.,
The Adjutant General.

[P. R. Doc. 50-1774; Filed, Mar. 3, 1950;
9:05 a. m.]

PART 1101—NATIONAL GUARD REGULATIONS PROCESSING OF CERTAIN CLAIMS FOR DAMAGES INVOLVING ARMY NATIONAL GUARD

Amend Part 1101 by adding a new center head and §§ 1101.51 to 1101.57, inclusive, as follows:

PROCESSING OF CERTAIN CLAIMS FOR DAMAGES INVOLVING THE ARMY NATIONAL GUARD

- Sec.
- 1101.51 Statutory authority.
 - 1101.52 Claims authorized.
 - 1101.53 Action to be taken by claimant.
 - 1101.54 Air National Guard claims.
 - 1101.55 Claims against the Army National Guard.
 - 1101.56 Claims against the United States.
 - 1101.57 Federal Tort Claims Act.

AUTHORITY: §§ 1101.51 to 1101.57 issued under Pub. Law 434, 81st Cong.

SOURCE: §§ 1101.51 to 1101.57 contained in NGB Cir. 18, Nov. 15, 1949.

§ 1101.51 *Statutory authority.* The National Military Establishment Appropriations Act, Public Law 434, 81st Congress, relating to appropriations for the Army National Guard, contains the following provisions:

... Provided further, that this appropriation shall be available for the settlement of claims (not exceeding \$500 in any one case) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of Army National Guard units in such camps or while en route thereto or therefrom.

§ 1101.52 *Claims authorized.* The appropriation is intended for the payment of claims for damages to or loss of private property of the following classes:

(a) Claims for the damages to or loss of private property proximately caused by the negligent act or omission of an officer, enlisted person, or employee of the Army National Guard while acting within the scope of his office or employment.

(b) Claims for the damages to or loss of private property not proximately caused by a negligent act or omission but incident to the training, practice, operation, or maintenance of the Army National Guard, its units, or its members or employees, engaged in authorized activities.

(c) Claims arising from a provision of a contract executed pursuant to an appropriation act, which contract provides in advance to pay for damages to or the loss of private property resulting from the negligence of or the activities of the Army National Guard, its units, or its members or employees thereof, shall be deemed incident to the training, practice, operation, and maintenance of the Army National Guard.

(d) Primarily, §§ 1101.51 through 1101.57 are intended for the settlement of claims of civilians or non-military persons. However, claims of military personnel or employees of the Army National Guard, the Air National Guard, or of the Federal Government may be considered, settled, and paid under §§ 1101.51 through 1101.57: *Provided*, the damages to or the loss of private property from which the claim arose was incident to the training, practice, operation, or maintenance of the Army National Guard and was not proximately caused, or contributed to, by any negligent act or omission of other military personnel or employees of the Army National Guard, the Air National Guard, or of the Federal Government.

(e) Negligence or wrongful act of the claimant, or of his agent, or employee acting within the scope of his employment, in whole or in part the proximate cause, bars a claim. Although the doctrine of comparative negligence is not applied, the law of the jurisdiction in which the accident or incident occurred will normally be followed in determining whether contributory negligence is present.

§ 1101.53 *Action to be taken by claimant—(a) Form in which claim should*

be submitted. The claimant will be required to submit a sworn statement over his signature and address setting forth all the facts and circumstances in connection with the damage claimed, including the nature and extent, the date incurred, the agency by which caused, if known, and the amount of the claim. Standard Form 95 (Claim for Damage or Injury) may be used whenever practicable. Pending the development of a new NGB form for submission of claims of this type the Standard Form 95, when used, will be altered prior to being furnished to the claimant by deleting all references to "injury" and "personal injury" wherever these terms appear upon the form.

(b) *Who may present a claim.* The word "claim" as used in §§ 1101.51 through 1101.57 refers to those demands for payment of money submitted in writing by individuals, partnerships, associations, or corporations. Claims for the damage to or loss of private property may be presented by the owner of the property or his duly authorized agent or legal representative. The word "owner," as so used, included bailees, lessees, mortgagors, and conditional vendees, but does not include mortgagees, conditional vendors, and others having title for purposes of security only or subrogees. The claim, if filed by an agent or a legal representative, should be filed in the name of the owner, signed by such agent or legal representative, show the title or capacity of the person signing and be accompanied by evidence of the appointment or such person as agent, executor, administrator, guardian, or other fiduciary. The claim, if filed by a corporation, should show the title or capacity of the officer signing and be accompanied by evidence of his authority to act. In case of the death of the proper claimant, if it appears that no legal representative has been or will be appointed, the claim may be presented by any person who, by reason of the family relationship has, in fact, incurred the expense for which the claim is made. (In this connection, your attention is called to §§ 536.1 and 536.7 of Chapter V of this Title.)

(c) *Time limit within which a claim must be presented and to whom.* Claims against the Army National Guard, cognizable under the regulations set forth in §§ 1101.51 through 1101.57, must be presented in writing to the adjutant general, or his duly authorized representative of the State, Territory, or District of Columbia having jurisdiction over the personnel or equipment involved in the accident or incident out of which the claim arose, or to the office of the Chief, National Guard Bureau, The Pentagon, Washington 25, D. C. Such claims must be submitted within 2 years of the date of the occurrence of the accident or incident.

(d) *Evidence to be submitted in support of claims.* Claims for damages to or loss of private property must be specific and substantiated by evidence of the damage or loss. A mere statement to the effect that such property was damaged or lost and that a certain amount is a fair reimbursement is not sufficient evidence to support a claim.

(1) The claimant will be required to submit in support of claims for damage to fences, buildings, motor vehicles, and similar property which has been repaired or replaced, an itemized bill for repairs or replacements certified to as correct by the repairman or other proper party or, if paid, an itemized receipt evidencing payment; if not repaired or replaced a signed itemized estimate or estimates of the cost thereof.

(2) In support of claims for damage to crops, trees, land, or similar property, the claimant will be required to submit an itemized signed estimate or estimates of the cost of repairs or restoration, supported by evidence of the number of acres of land or of crops or trees alleged to have been damaged, the normal yield per acre and the market value of the property per unit of measure common to the property damaged, or the estimated length of time the land will be unfit for grazing and the normal rental value per acre of similar land in the vicinity.

(e) *Claims for use or occupancy of land.* Claims for damage to land or crops will not include a charge for the use or occupancy of the land by the National Guard, which is a question of payment to be made under the contract of lease of occupancy.

(f) *Claims based on contracts.* If the claim is based on contract, a copy of the contract or specific reference to the provisions thereof will be furnished by the claimant.

(g) *Signatures.* All papers signed by the claimant in connection with a particular case will bear identical signatures.

§ 1101.54 *Air National Guard claims.* Claims arising subsequent to July 1, 1949 and not to exceed \$500 in any one claim for damages to or loss of private property incident to the operation of Air National Guard camps of instruction either during the stay of Air National Guard units at such camps or while en route thereto or therefrom may be forwarded to the National Guard Bureau for onward transmission to the Secretary of the Air Force.

§ 1101.55 *Claims against the Army National Guard.* Except as required in the discharge of his proper official duties, no person in the military service of or employed by the Army National Guard will furnish any information which can be used as a basis for a claim against the Army National Guard or aid or assist in the prosecution or support of a claim against the Army National Guard. Claimants or their authorized representatives shall not be permitted to examine any part of the evidence of record, except that submitted by such claimants, without prior approval of the office of the Chief, National Guard Bureau. (In this connection see § 536.10, Chapter V of this Title.)

§ 1101.56 *Claims against the United States.* (a) Except as required in the discharge of his proper official duties, no person in the military service of or employed by the Army National Guard will furnish any information which can be used as the basis for a claim against the

United States or aid or assist in the prosecution or support of a claim against the United States.

(b) Claims for damage to or loss or destruction of property, real or personal, or for personal injury or death caused by military personnel or civilian employees of the Department of the Army or of the Army while acting within the scope of their employment, or otherwise incident to noncombat activities of the Department of the Army or of the Army, including claims for damage to or loss or destruction, by criminal acts, of registered or insured mail while in the possession of the United States military authorities, claims for damage to or loss or destruction of personal property bailed to the Government and claims for damages to real property incident to the use and occupancy thereof, whether under a lease to the Government of the United States, express or implied, or otherwise, except those cognizable under the "Federal Tort Claims Act," are cognizable under the act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), as amended, as supplemented by §§ 536.12 through 536.23, Chapter V of this Title.

(c) Claims for damage to or loss of property or for personal injury or death, arising on or after January 1, 1945, within the United States or its territorial possessions, caused by the negligent or wrongful act or omission of military personnel or civilian employees of the Government while acting within the scope of their office or employment are cognizable under the "Federal Tort Claims Act," as supplemented by § 536.29, Chapter V of this Title.

§ 1101.57 *Federal Tort Claims Act.* The National Guard, when not in the Federal service, is not a Federal agency within the meaning of the "Federal Tort Claims Act" (60 Stat. 842, 28 U. S. C. 941, as revised and codified in the act of June 25, 1948, 62 Stat. 982, 28 U. S. C. 2671) and claims arising out of activities of the National Guard are, therefore, not cognizable under that act.

[SEAL] EDWARD F. WITSELL,
Major General, U. S. A.,
The Adjutant General.

[F. R. Doc. 50-1772; Filed, Mar. 3, 1950;
8:53 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders [Public Land Order 634]

NORTH DAKOTA

PARTIALLY REVOKING EXECUTIVE ORDER NO.
5258 OF JANUARY 9, 1930

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (U. S. C. title 43, sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5258 of January 9, 1930, temporarily withdrawing certain public lands in North Dakota for

classification and in aid of legislation, is hereby revoked so far as it affects the public lands within the following-described areas:

FIFTH PRINCIPAL MERIDIAN

T. 163 N., R. 57 W.,
Secs. 7 and 8.
T. 163 N., R. 58 W.,
Secs. 12, 13, and 25.
T. 164 N., R. 58 W.,
Secs. 31 and 32.
T. 151 N., R. 62 W.,
Secs. 23, 30, and 34.
T. 153 N., R. 63 W.,
Secs. 8 and 13.
T. 153 N., R. 64 W.,
Sec. 15.
T. 152 N., R. 65 W.,
Secs. 9, 10, 14, 15, and 16.
T. 152 N., R. 66 W.,
Secs. 13, 24, 25, 30, and 35.
T. 153 N., R. 66 W.,
Sec. 13.
T. 154 N., R. 66 W.,
Secs. 20 and 21.
T. 152 N., R. 67 W.,
Sec. 27.
T. 153 N., R. 67 W.,
Sec. 35.
T. 162 N., R. 70 W.,
Sec. 20.
T. 162 N., R. 71 W.,
Secs. 2 and 29.
T. 163 N., R. 72 W.,
Sec. 7.
T. 163 N., R. 73 W.,
Secs. 18 and 24.
T. 164 N., R. 73 W.,
Sec. 29.
T. 154 N., R. 74 W.,
Sec. 30.
T. 162 N., R. 74 W.,
Sec. 5.
T. 163 N., R. 74 W.,
Sec. 33.
T. 164 N., R. 74 W.,
Secs. 25 and 33.
T. 152 N., R. 75 W.,
Sec. 2.
T. 153 N., R. 75 W.,
Sec. 31.
T. 156 N., R. 75 W.,
Sec. 2.
T. 163 N., R. 76 W.,
Sec. 5.
T. 155 N., R. 76 W.,
Sec. 28.
T. 155 N., R. 79 W.,
Sec. 1.

The areas described, including ceded Indian lands and public and non-public lands, aggregate 25,428.83 acres.

The lands are primarily suitable for grazing purposes.

The public lands in sec. 20, T. 162 N., R. 70 W., and secs. 2 and 29, T. 162 N., R. 71 W., are subject to the reservation for the Turtle Mountain Band of Chippewa Indians made by an Executive Order of December 21, 1882, as modified by Executive orders of March 29 and June 3, 1884.

The undisposed-of lands in the sections listed in T. 151 N., R. 62 W., and Tps. 152 N., Rs. 65, 66, and 67 W., are ceded Devils Lake Indian lands, which are subject only to disposition under the homestead and townsite laws and at public sale under section 2455 of the Revised Statutes (U. S. C., title 43, sec. 1171), as amended, with payment of the Indian price of such lands, pursuant to the act of April 27, 1904, 33 Stat. 319, and the Proclamations of June 2, 1904, 33 Stat. 2368, and June 8, 1907, 35 Stat. 2143.

No applications for the remaining lands released by the revocation made

by this order may be allowed under the homestead, small-tract, or desert-land laws, or under any other nonmineral public-land laws unless the lands applied for have already been classified as suitable or valuable for such type of application or shall be so classified upon consideration of the application.

Except as to the lands subject to the said reservation for the Turtle Mountain Band of Chippewa Indians, this order shall not become effective to change the status of the lands affected by the revocation made hereby until 10:00 a. m. on the 35th day after the date of this order. At that time such lands (other than those subject to the said reservation) shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, such lands shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation, except that the ceded Indian lands shall not be subject to application under the desert-land laws or the Small Tract Act of June 1, 1938. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order,

any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in Bureau of Land Management, Washington 25, D. C. shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to Bureau of Land Management, Washington 25, D. C.

OSCAR L. CHAPMAN,
Secretary of the Interior.

FEBRUARY 28, 1950.

[F. R. Doc. 50-1746; Filed, Mar. 3, 1950;
8:48 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 844, Corrected Amdt. 1]

PART 95—CAR SERVICE

FURNISHING OF CARS FOR RAILROAD LOCOMOTIVE FUEL COAL SUPPLY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of February A. D. 1950.

Upon further consideration of Service Order No. 844 (14 F. R. 7765, 15 F. R. 1087), and good cause appearing therefor: It is ordered, that:

Section 95.844, *Furnishing of cars for railroad locomotive fuel coal supply*, of Service Order No. 844 be, and it is hereby further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This section shall expire at 11:59 p. m., April 25, 1950, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p. m., February 25, 1950.

It is further ordered, that a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1776; Filed, Mar. 3, 1950;
9:08 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 3]

[Docket Nos. 8736, 8975, 8976, 9175]

TELEVISION BROADCAST SERVICE

INFORMATION RESPECTING PENDING PATENT APPLICATIONS

In the matter of amendment of § 3.606 of the Commission's rules and regulations, Dockets Nos. 8736 and 8975; amendment of the Commission's rules and regulations and Engineering Stand-

ards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of February 1950;

The Commission having under consideration the several responses to its notice of September 1, 1949 (FCC 49-1197) requesting that each person a party to the above proceeding "who owns or has the right to sublicense inventions relating to

television transmitters or receivers for either monochrome or color transmissions which are described and claimed in one or more patent applications now pending in the United States Patent Office" shall file abstracts of such applications and Powers to Inspect the same at the United States Patent Office;

It appearing, that there is possible misunderstanding of the scope of the September 1, 1949, notice, i. e., the pending patent applications covered by said notice;

It further appearing, that there is possible misunderstanding as to the pro-

cedure to be followed by the Commission in safeguarding from disclosure information obtained through the pending applications as announced in the September 1, 1949, notice; and

The Commission, having carefully considered all the matters set forth by the parties in their respective responses to the notice of September 1, 1949, including the request of Color Television Incorporated, that the Commission reconsider said notice and the statement of Color Television, Incorporated, that its patent application papers were transmitted to the Commission under protest, and the Commission being fully advised regarding its right to require the production of papers and documents pursuant to section 409 (b) of the Communications Act of 1934, as amended, which provides "For the purposes of this act the Commission shall have the power to require by subpoena the attendance and testimony of witnesses and the production of all books, papers, schedules of charges, contracts, agreements, and documents relating to any matter under investigation";

It is ordered, That the Commission's notice of September 1, 1949, in the above proceeding be, and it is hereby, set aside and the following provisions substituted therefor:

(1) On or before March 15, 1950, any party to this proceeding who owns or has the right to sublicense inventions disclosed in applications now pending in the United States Patent Office with claims directed to or covering operations or equipment upon which transmission standards proposed by the Commission, or parties to this proceeding can be based shall file with the Commission, unless such party has heretofore filed the same, an abstract of each such pending patent application for which it can grant Power to Inspect at the United States Patent Office, said abstract in each case setting forth the related Patent Office filing date and serial number and a brief statement of the purposes of the invention and the equipment or operations claimed therein. Each abstract shall be accompanied by a Power to Inspect the related pending patent application at the United States Patent Office by the Commission's Chief Engineer, or Acting Chief Engineer, or his nominees.

(2) Any party to this proceeding, who has filed abstracts of pending patent applications and Powers to Inspect the same, which it is believed are not within the scope of paragraph (1) above may request on or before March 15, 1950, that such abstracts and Powers to Inspect be returned, provided the abstracts and Powers to Inspect are identified by reference to the serial or case numbers employed therefor.

(3) Any party to this proceeding, who does not wish to file abstracts of the

¹ "Equipment" is intended to include any component part of a television transmitting or receiving system.

pending patent applications called for in paragraph (1) above and Powers to Inspect said applications at the United States Patent Office, may as an alternative file with the Commission copies of the pending patent applications and include as to each application, copies of all Patent Office actions thereon and copies of the responses to such Patent Office actions.

(4) Notice is hereby given that the Commission may utilize any of the disclosures made available pursuant to paragraph (1) above, or heretofore made available pursuant to the September 1, 1949, notice, if not withdrawn on or before March 15, 1950, in a subsequent public hearing session in these proceedings. However, before so utilizing such a disclosure, the Commission will notify the party concerned and will afford such party an opportunity to indicate whether or not it has objection to such use of the disclosure. In the event the party files objection to such use, the Commission will, at that time, permit the withdrawal of the related abstracts and Powers to Inspect, or copies of patent applications through which the disclosure was obtained, and will then issue a subpoena for a complete written description and illustration of the disclosure to be made an exhibit of the hearing record in these proceedings. Therefore, parties who file material pursuant to this order, or permit material filed in response to the September 1, 1949, notice to remain on file, are presumed to have done so voluntarily subject to the foregoing.

It is further ordered, That the following internal procedure be established for the purpose of safe-guarding the disclosures made available to the Commission pursuant to this order or the notice of September 1, 1949:

(a) That the abstracts, copies of patent applications and Powers to Inspect filed be maintained by the Chief Engineer or Acting Chief Engineer in a separate file of the Commission and the examination of applications be deferred until March 15, 1950.

(b) That no person not in the employ of the Commission be permitted to examine said abstracts or applications or make copies of same without written authority of the applicant, or his assignee, or attorney, or agent.

(c) That a list be maintained by the Chief Engineer or Acting Chief Engineer of Commission employees who examine the abstracts or applications.

(d) That when the proceedings in Docket 8736 et al. are finally terminated the abstracts and application copies be returned to the respective parties and said parties advised that they may rescind the related Powers to Inspect. If copies of abstracts or applications are made while in the possession of the Commission they shall be destroyed when these proceedings are finally terminated.

Released: February 24, 1950.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[P. R. Doc. 50-1691; Filed, Mar. 3, 1950;
8:48 a. m.]

[47 CFR, Part 3]

[Docket Nos. 8736, 8975, 8976, 9175]

TELEVISION BROADCAST SERVICE ORDER REVISING DATES OF HEARING

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the Band 470 to 890 Mcs. for Television Broadcasting, Docket No. 8976.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of February 1950;

The Commission having under consideration a letter filed on February 23, 1950, by the Board of Directors of The Institute of Radio Engineers (I. R. E.) requesting that the Commission continue the hearings in the above-entitled proceedings scheduled for March 8 and 9, 1950, at the U. S. Department of Commerce Auditorium, Washington, D. C.; and

It appearing that the basis for said request is that the 1950 I. R. E. Convention and Radio Engineering Show had been scheduled for March 6-9, 1950, in New York City; that many of the engineers attending the Commission's hearings herein are scheduled to give important addresses at said Convention; and that unless the requested continuance is granted the prepared program of the I. R. E. will be seriously affected; and

It further appearing that good and sufficient reasons have been advanced in the support of the instant request of the I. R. E.;

It is ordered, That all previous announcements of scheduled hearing dates herein are withdrawn and the following schedule is substituted therefor showing the dates on which the Commission will be in hearing session in the above-entitled matters for the balance of February and for March, 1950:

Month:	Date
February 1950.....	27, 28.
March 1950.....	1, 15, 16, 17, 22, 23, 24, 29, 30, 31.

Released: February 24, 1950.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[P. R. Doc. 50-1739; Filed, Mar. 3, 1950;
8:48 a. m.]

NOTICES

DEPARTMENT OF STATE

[Public Notice 33]

WAIVER OR REDUCTION OF APPLICATION AND
VISA FEES FOR NONIMMIGRANTS

By virtue of the provisions of the act of Congress approved February 25, 1925 (43 Stat. 976), and Executive Order 5427 of August 20, 1930, authority is vested in the Secretary of State to conclude an agreement, by exchange of notes, with any foreign country whereby citizens or subjects of such country who are not immigrants as defined in the Immigration Act of 1924, as amended, may receive passport visas with which to apply for admission into the United States without payment of the application or visa fees prescribed in the act of June 4, 1920 (41 Stat. 750), or upon payment of a reduced fee, in consideration of similar concessions by such foreign country in favor of citizens of the United States. In the absence of an agreement, the Secretary of State is authorized to issue regulations waiving or reducing such fees for citizens or subjects of a country granting similar privileges to citizens of the United States. Notice is hereby given that, in pursuance of the foregoing authority, the following schedule of visa fees has been established and is currently effective:

Country or area:	Fee
Argentina	Gratis.
Australia	Gratis.
Austria	Gratis.
Bahama Islands	Gratis.
Barbados	Gratis.
Belgium (not including Belgian Congo)	Gratis.
Bermuda	Gratis.
Brazil	Gratis.
Canada	Gratis.
Chile	\$1.75.
China	\$2.50.
Colombia	Gratis.
Costa Rica	Gratis.
Cuba	Gratis.
Denmark	Gratis.
Dominican Republic	Gratis.
Ecuador	Gratis.
Egypt	\$2.00.
El Salvador	Gratis.
Finland	Gratis.
France:	
3 (2) 12 months	\$3.50.
3 (2) 24 months	\$6.75.
3 (3) 1 journey	\$2.25.
Great Britain	\$2.00.
Greece	Gratis.
Guatemala	Gratis.
Guiana (British)	Gratis.
Haiti	Gratis.
Honduras	Gratis.
Honduras (British)	Gratis.
Iceland	Gratis.
India	\$2.00.
Iran	Gratis.
Iraq	\$2.00.
Ireland	Gratis.
Italy	Gratis.
Jamaica	Gratis.

¹ French nationals resident in Metropolitan France, Andorra, Algeria, Morocco, Guadeloupe, Martinique, Guinea, Reunion, Tunisia, and Territory of the Saar, and French members of delegations representing war-veteran organizations temporarily visiting the United States will be granted gratis nonimmigrant passport visas.

Country or area—Continued	Fee
Leeward Islands, British West Indies	Gratis.
Liberia	Gratis.
Liechtenstein	Gratis.
Luxembourg	Gratis.
Malta	Gratis.
Mexico	\$2.00.
Miquelon:	
3 (2) 12 months	\$3.50.
3 (2) 24 months	\$6.75.
3 (3) 1 journey	\$2.25.
Morocco (French)	Gratis.
Netherlands	Gratis.
Netherlands West Indies	Gratis.
New Zealand	\$2.00.
Nicaragua	Gratis.
Norway	Gratis.
Pakistan	\$2.00.
Panama	Gratis.
Peru	Gratis.
Siam	Gratis.
St. Pierre:	
3 (2) 12 months	\$3.50.
3 (2) 24 months	\$6.75.
3 (3) 1 journey	\$2.25.
Surinam	Gratis.
Sweden	Gratis.
Switzerland	Gratis.
Trinidad	Gratis.
United Kingdom	Gratis.
Uruguay	Gratis.
Venezuela	\$2.00.
Windward Islands, British West Indies	Gratis.
Yugoslavia	\$2.00.

For the Secretary of State.

S. D. BOYKIN,

Director,

Office of Consular Affairs.

MARCH 1, 1950.

[F. R. Doc. 50-1775; Filed, Mar. 3, 1950;
9:08 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

CLASSIFICATION ORDER

JANUARY 27, 1950.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Nevada land district, embracing approximately 440 acres,

NEVADA SMALL TRACT CLASSIFICATION No. 46

For lease only for all purposes mentioned in the Act except business:

T. 22 S., R. 63 E., M. D. M.,
Sec. 19, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$.

Leases for those portions of the above-described land that involve fractional subdivisions will not be issued until a supplemental plat has been prepared dividing the areas into tracts.

The land is situated in Clark County, Nevada, about 12 miles southeast of Las Vegas, one of the largest towns in the state. It is near the Town of Henderson,

Nevada, and about 8 miles from Boulder City, Nevada, which is the town near Boulder Dam. The land can be reached over the main highway from Las Vegas to Henderson and thence over a poor dirt road. The land is in a desert area that is used extensively for health and recreational purposes.

2. As to applications regularly filed prior to 9:00 a. m., August 22, 1949, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., March 31, 1950. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., March 31, 1950, to the close of business on June 29, 1950.

(b) Advance period for veterans' simultaneous filings from 9:00 a. m., August 22, 1949, to 10:00 a. m., March 31, 1950.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., June 30, 1950.

(a) Advance period for simultaneous nonpreference filings from 9:00 a. m., August 22, 1949, to 10:00 a. m., June 30, 1950.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an appli-

cation for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the state, county or municipality in which the tract is situated, or by any agency thereof.

11. All inquiries relating to these lands should be addressed to the Acting Manager, Nevada Land and Survey Office, Reno, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 50-1745; Filed, Mar. 3, 1950;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8239, 8240, 8846]

CONNECTICUT ELECTRONICS CORP. ET AL.

ORDER CONTINUING ORAL ARGUMENT

In re applications of the Connecticut Electronics Corporation, Bridgeport, Connecticut, Docket No. 8239, File No. BP-5375; Westco Broadcasting Corporation, White Plains, New York, Docket No. 8240, File No. BP-5899; Huntington-Montauk Broadcasting Company, Inc., Huntington, New York, Docket No. 8846, File No. BP-6595; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of February 1950;

The Commission having under consideration the oral argument now scheduled on the exceptions filed in the above-entitled proceeding for March 24, 1950; and

It appearing, that from a review of the Commission's calendar for the month of March 1950 that this oral argument should be continued to March 27, 1950;

Accordingly, it is ordered, That the oral argument in the above-entitled proceeding now scheduled for March 24, 1950, is continued to 10:00 a. m., March 27, 1950.

Released: February 27, 1950.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1743; Filed, Mar. 3, 1950;
8:48 a. m.]

[Docket No. 9538]

BLACKSTONE BROADCASTING CO. (KTBB)

ORDER CONTINUING HEARING

In re application of Blackstone Broadcasting Company (KTBB), Tyler, Texas,

for construction permit; Docket No. 9538, File No. BP-6873.

The Commission having under consideration a petition filed on February 20, 1950, by Blackstone Broadcasting Company (KTBB), Tyler, Texas, requesting that the hearing in the above-entitled proceeding, now scheduled to be held on March 2, 1950, be continued indefinitely; and counsel for Texas Broadcasting Corporation, licensee of Station KTBC, Austin, Texas, the party respondent herein, and Commission counsel having consented to a grant of said petition and to a waiver of the four-day requirement of § 1.745 of the Commission's rules and regulations;

It is ordered, This 27th day of February 1950 that the petition of Blackstone Broadcasting Company (KTBB) for an indefinite continuance of the hearing herein, is hereby granted, and the hearing in the above-entitled proceeding, is hereby continued indefinitely.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1742; Filed, Mar. 3, 1950;
8:48 a. m.]

[Docket Nos. 9561, 9562]

LOUIS WASMER AND CASCADE BROADCASTING
CO., INC.

ORDER CONTINUING HEARING

In re applications of Louis Wasmer, Pasco, Washington, Docket No. 9561, File No. BP-7337; Cascade Broadcasting Company, Inc., Richland, Washington, Docket No. 9562, File No. BP-7374; for construction permits.

The Commission having under consideration a motion filed February 16, 1950,

by Louis Wasmer, Pasco, Washington, requesting that the hearing on the above-entitled matter now scheduled for March 22, 1950, in Washington, D. C., be continued for at least thirty days;

It appearing, that good and sufficient cause for the requested continuance has been shown in the motion; that the time within which objections to said motion might have been filed has expired, and objections thereto have not been filed by parties to the proceeding or by Commission Counsel;

It is ordered, This 27th day of February 1950 that the motion be, and it is hereby, granted, and the hearing on the above-entitled proceeding be, and it is hereby, continued to 10:00 a. m., Monday, April 24, 1950, in Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1740; Filed, Mar. 3, 1950;
8:48 a. m.]

[Mexican Change List 112]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

JANUARY 30, 1950.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph #47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Time designation	Class	Probable date to commence operation
XENT.....	Veracruz, Veracruz.....	1140 kilocycles (change in location from Nuevo Laredo, Tamaulipas).			
XEW.....	Cuautla, Morelos.....	1400 kilocycles (assignment of call letters).			
New.....	Ojinaga, Chihuahua.....	1450 kilocycles, 250 w.....	U	IV	July 2, 1950
New.....	Los Mochis, Sinaloa.....	1470 kilocycles, 250 w.....	U	IV	Aug. 1, 1950
XEML.....	Nuevo Laredo, Tamaulipas.....	1550 kilocycles (change in location from Mexico, D. F.).			

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1744; Filed, Mar. 3, 1950; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3719 et al.]

PIONEER AIR LINES, INC., ET AL.;
CERTIFICATE RENEWAL CASE

POSTPONEMENT OF REOPENED HEARING

In the matter of a renewal and amendment of the temporary certificate of public convenience and necessity for route No. 64 held by Pioneer Air Lines, Inc.; and the temporary suspension, in part,

of the certificate of public convenience and necessity for route No. 29 held by Continental Air Lines, Inc.; for route No. 9 held by Braniff Airways, Inc., and for route No. 4 held by American Airlines, Inc.

Notice is hereby given that pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 401 thereof, the above-entitled reopened proceeding assigned on February 24, 1950, for hearing on March 15, 1950, is hereby

postponed to March 20, 1950, at 10:00 a. m., e. s. t., in Room E-214, Temporary Building No. 5, Sixteenth and Constitution Avenue NW., Washington, D. C. before Examiner James M. Verner.

Dated at Washington, D. C., February 28, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-1782; Filed, Mar. 3, 1950;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1318]

UNITED GAS PIPE LINE CO.

ORDER FIXING DATE OF HEARING

On January 23, 1950, United Gas Pipe Line Company (Applicant), a Delaware corporation with its principal place of business at Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to construct and operate 0.25 mile of 8-inch transmission pipe-line facilities extending from Applicant's Sarepta-Sterlington pipe line to Texas Gas Transmission Corporation's Sharon compressor station, all located in Claiborne Parish, Louisiana, as more fully described in the application on file with the Commission and open to public inspection.

Temporary authorization to construct and operate the facilities was granted by the Commission on February 7, 1950.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure for noncontested proceedings, and this proceeding appears to be a proper one for disposition under the provisions of the aforesaid rule, provided no request to be heard, protest or petition raising an issue of substance is filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on February 7, 1950 (15 F. R. 669).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15, of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on March 15, 1950, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: February 28, 1950.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1767; Filed, Mar. 3, 1950;
8:51 a. m.]

[Docket Nos. G-1148, G-1330]

PHILLIPS PETROLEUM CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

In the matters of Phillips Petroleum Company, Docket No. G-1148; Independent Natural Gas Company and Northern Natural Gas Company, Docket No. G-1330.

On February 9, 1950, the Commission issued an order in the Matter of Phillips Petroleum Company (Phillips), Docket No. G-1148, specifying issues and fixing the date of hearing for March 20, 1950, at Bartlesville, Oklahoma, for a determination of relevant facts and circumstances surrounding the natural gas operations of Phillips to ascertain whether Phillips is a "natural-gas" company within the meaning of the Natural Gas Act; and whether in connection with any transportation or sale of natural gas by Phillips, the rates, charges or classifications demanded, observed, charged or collected by Phillips, or any rules, regulations, practices or contracts affecting such rates, charges or classifications, are unjust, unreasonable, unduly discriminatory or preferential. Due notice of said order has been given, including publication in the FEDERAL REGISTER on February 15, 1950 (15 F. R. 831-32).

On February 24, 1950, Independent Natural Gas Company (Independent), a natural gas company and a wholly owned subsidiary of Phillips, and Northern Natural Gas Company (Northern), a natural-gas company, filed a joint application in Docket No. G-1330 for authority (1) to Independent to abandon and sell natural gas facilities, and (2) to Northern to acquire and operate such facilities to permit the purchase of natural gas by Northern directly from Phillips. The facilities are more particularly described in the joint application on file with the Commission and open to public inspection. Public notice of the filing of the joint application has been given including publication in the FEDERAL REGISTER concurrently herewith.

The Commission finds: Good cause exists for consolidating the above proceedings for purposes of hearing.

The Commission orders:

(A) The above entitled proceedings in Docket Nos. G-1148 and G-1330 be and the same hereby are consolidated for the purposes of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing at 10:00 a. m., e. s. t., on March 20, 1950, in the Federal Court Room, U. S. Post Office Building, Bartlesville, Oklahoma, respecting the matters in-

involved and issues presented in Docket Nos. G-1148 and G-1330.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: March 2, 1950.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 50-1795; Filed, Mar. 3, 1950;
8:51 a. m.]

[Docket No. G-1330]

INDEPENDENT NATURAL GAS CO. AND
NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

MARCH 2, 1950.

Take notice that Independent Natural Gas Company (Independent) a Delaware corporation with office at Bartlesville, Oklahoma, and Northern Natural Gas Company (Northern) a Delaware corporation with office at Omaha, Nebraska, (Applicants), filed on February 24, 1950, a joint application for an order, pursuant to section 7 of the Natural Gas Act, as amended, of permission and approval for Independent authorizing the sale and abandonment of certain compressor and pipeline facilities and for a certificate of public convenience and necessity for Northern authorizing the acquisition and operation of the compressor and pipeline facilities proposed to be sold by Independent, all as particularly described in the application.

Applicants state that in 1937 Northern executed a contract for the purchase of natural gas from Independent in quantities measured by monthly quotas at a rate of 6 cents per Mcf of each monthly quota, and 4 cents per Mcf in excess of the specified quota. The 1937 contract was revised in 1942 in many particulars, including a revision of the quotas, and with rates specified to be 5¼ cents per Mcf on a 16.4# pressure base within the quota and 4 cents in excess thereof. The 1942 revision also contains a guarantee by Phillips Petroleum Company (Phillips), a Delaware corporation, of the performance of the contract by Independent as fully as if Phillips had been an original party. Phillips owns all of the outstanding stock of Independent. Applicants further state that an agreement between Northern, Independent and Phillips has been reached whereby Phillips undertakes the sale and delivery of natural gas to Northern upon the basis of revised quotas of natural gas and at a single rate of 6.35 cents per Mcf delivered, based on 14.65 pressure, which results in an equivalent cost of 7.11 cents per Mcf measured by the pressure base of previous contracts. The 1950 contract revision is subject to the condition that Northern either purchase the facilities described in the joint application or purchase the capital stock of Independent. Applicants state that Northern has elected to purchase the facilities.

The application describes the facilities proposed to be purchased by Northern as

the Grayco Compressor Station near Pampa, Texas, and approximately 21 miles of 20-inch steel pipeline extending from Grayco Compressor Station to a point of connection with Northern's pipeline facilities near Skellytown, Texas. Northern states that the 1950 revision of the gas purchase contract is desirable both to Northern and its customers by providing for a substantial extension of one of Northern's important present sources of supply of gas and the dedication of additional gas reserves at a cost consistent with the present market price for gas in the field. Applicants state that the facilities proposed to be acquired have been used exclusively for service to Northern and that as a result of the acquisition and operation by Northern there will not be any termination of service.

The total estimated over-all capital cost of the acquisition of the proposed facilities, including the rehabilitation thereof, is \$440,200.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission and is available for public inspection.

[SEAL] J. H. GUTHRIE,
Acting Secretary.

[F. R. Doc. 50-1794; Filed, Mar. 3, 1950;
8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24900]

FUEL WOOD FROM MEMPHIS, TENN., TO
ARKANSAS AND MISSOURI

APPLICATION FOR RELIEF

MARCH 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3647.

Commodities involved: Wood, fuel, viz.: sawdust or shavings, compressed, carloads.

From: Memphis, Tenn.

To: Points in Arkansas and Missouri.
Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3647, Supplement 240.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect

to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1768; Filed, Mar. 3, 1950;
8:52 a. m.]

[4th Sec. Application 24901]

PIG IRON FROM TEXAS TO CENTRALIA, ILL.

APPLICATION FOR RELIEF

MARCH 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3599.

Commodities involved: Pig iron, carloads.

From: Dalingerfield and Lone Star, Tex.

To: Centralia, Ill.
Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3599, Supplement 61.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1769; Filed, Mar. 3, 1950;
8:52 a. m.]

[4th Sec. Application 24902]

GRAIN FROM TEXAS AND NEW MEXICO TO
EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

MARCH 1, 1950.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3831.

Commodities involved: Grain, grain products and related articles, also seeds, carloads.

From: Points in Texas and New Mexico.

To: East St. Louis, Ill.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3831, Supplement 18.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1770; Filed, Mar. 3, 1950;
8:52 a. m.]

[4th Sec. Application 24903]

NITROGEN FERTILIZER SOLUTION FROM
SOUTH POINT, OHIO TO LOUISVILLE, KY.

APPLICATION FOR RELIEF

MARCH 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Norfolk and Western Railway Company for itself and on behalf of The Baltimore and Ohio Railroad Company and other carriers named in the application.

Commodities involved: Nitrogen fertilizer solution, tank carloads.

From: South Point, Ohio.

To: Louisville, Ky.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: N&W, tariff I. C. C. No. 9224, Supplement 96.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Com-

mission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1771; Filed, Mar. 3, 1950;
8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1159]

BENGUET CONSOLIDATED MINING CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Capital Stock, 1 Peso Par Value, of Benguet Consolidated Mining Co., a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1763; Filed, Mar. 3, 1950;
8:51 a. m.]

[File No. 7-1160]

Budd Co.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of The Budd Company, a security listed and registered on the New York Stock Exchange and the Philadelphia-Baltimore Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1764; Filed, Mar. 3, 1950;
8:51 a. m.]

[File No. 7-1161]

CONSOLIDATED VULTEE AIRCRAFT CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1 Par Value, of Consolidated Vultee Aircraft Corporation, a security listed and registered on the New York Stock Exchange and the San Francisco Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by

means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1762; Filed, Mar. 3, 1950;
8:51 a. m.]

[File No. 7-1162]

EASTMAN KODAK CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$10 Par Value, of Eastman Kodak Co., a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1765; Filed, Mar. 3, 1950;
8:51 a. m.]

[File No. 7-1163]

GREYHOUND CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$3 Par Value, of Greyhound Corporation, a security listed and registered on the New York Stock Exchange and the San Francisco Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1755; Filed, Mar. 3, 1950;
8:50 a. m.]

[File No. 7-1164]

INTERNATIONAL PAPER CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$7.50 Par Value, of International Paper Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the

No. 43—3

Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1754; Filed, Mar. 3, 1950;
8:50 a. m.]

[File No. 7-1165]

INTERNATIONAL TELEPHONE & TELEGRAPH CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in Common Stock, No Par Value, of International Telephone & Telegraph Corporation, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1753; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1166]

KANSAS POWER & LIGHT CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$8.75 Par Value, of Kansas Power & Light Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1752; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1167]

NORTH AMERICAN AVIATION, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Capital Stock, \$1 Par Value, of North American Aviation, Inc., a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this ap-

plication will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1759; Filed, Mar. 3, 1950;
8:50 a. m.]

[File No. 7-1168]

NORTHERN STATES POWER CO. (MINN.)

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Northern States Power Company (Minnesota), a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1747; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1169]

REMINGTON RAND, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, 50¢ Par Value, of Remington Rand, Inc., a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1748; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1170]

RICHFIELD OIL CORP.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Richfield Oil Corporation, a security listed and registered on the Los Angeles, New York and San Francisco Stock Exchanges. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests

a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1760; Filed, Mar. 3, 1950;
8:51 a. m.]

[File No. 7-1171]

SOUTHERN CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5 Par Value, of Southern Company, a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1749; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1172]

SOUTHERN PACIFIC CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Southern Pacific Company, a security listed and registered on the Los Angeles Stock Exchange and New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1750; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1173]

WARNER BROS. PICTURES, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$5 Par Value, of Warner Bros. Pictures, Inc., a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a

hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1751; Filed, Mar. 3, 1950;
8:49 a. m.]

[File No. 7-1174]

WILLYS-OVERLAND MOTORS, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

The Midwest Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$1 Par Value, of Willys-Overland Motors, Inc., a security listed and registered on the New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to March 10, 1950, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1761; Filed, Mar. 3, 1950;
8:51 a. m.]

[File Nos. 54-139, 59-12]

ELECTRIC POWER & LIGHT CORP. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING ON APPLICATIONS TO PAY FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

In the matter of Electric Power & Light Corporation, File No. 54-139; Electric Power & Light Corporation, et al., respondents, File No. 59-12.

The Commission on March 1, 1949, issued its findings approving, subject to amendment in certain respects, an amended plan of Electric Power & Light Corporation ("Electric"), then a registered holding company subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (— S. E. C. — (1949), Holding Company Act Release No. 8889). That plan provided in its major respects for the creation of a new holding company, Middle South Utilities, Inc. ("Middle South"), to which Electric would transfer certain cash and its holdings of the common stocks of its electric utility subsidiaries, the settlement of claims between Electric and its subsidiaries on the one hand and Bond and Share and its wholly owned subsidiaries on the other hand, the retirement of Electric's preferred stocks through the exchange of shares of the common stocks of Middle South and of United Gas Corporation, the retirement of the common stock and option warrants of Electric through the payment of the residual assets of Electric less such amount as should be reserved for necessary expenses, and the dissolution of Electric.

On March 7, 1949, the Commission issued its order approving said plan as further amended, said order reserving, however, among other things, jurisdiction over the payment of all fees and expenses incurred or to be incurred in connection with the plan and the transactions recited therein (Holding Company Act Release No. 8906). That plan was approved by an appropriate District Court of the United States and affirmed by the Court of Appeals for the Second Circuit (176 F. 2d 687), and has since been consummated in its major aspects in accordance with its terms.

Notice is hereby given that applications for the payment of fees and reimbursement of expenses have been filed by the following persons and in the following amounts:

Name and capacity	Fees	Expenses	Total
Cahill, Gordon, Zachry & Reindel, counsel for Electric.....	\$207,700.00	\$9,976.53	\$217,676.53
John Jirgal, financial consultant to Electric.....	72,000.00	10,805.51	82,805.51
Reid & Priest, tax counsel for Electric.....	3,500.00		3,500.00
Guaranty Trust Co. of N. Y., exchange agent under plan.....	60,000.00	6,210.41	66,210.41
	1,547.54	1,558.75	
Reid & Priest, counsel for Bond and Share.....	61,547.54	7,769.16	69,316.70
Simpson, Thacher & Bartlett, counsel for Bond and Share on part of plan.....	70,000.00	4,350.00	74,350.00
Benjamin T. Brooks, expert witness for Bond and Share.....	40,000.00	3,362.22	43,362.22
Ralph E. Davis, expert witness for Bond and Share.....	700.13		700.13
	11,250.00	1,271.19	12,521.19

¹ Total compensation paid or proposed to be paid to Jirgal for services to Electric since April 1944 aggregates \$124,150, of which amount \$72,000 is allocated to services in connection with sec. 11 (e) proceedings.

Name and capacity	Fees	Expenses	Total
Edward Hopkinson, Jr., financial consultant to Bond and Share	\$100,000.00		\$100,000.00
Ebasco Services, Inc., technical consultant to Bond and Share	79,087.02		79,087.02
Perceval E. Jackson, counsel for \$7 and \$6 preferred stock committee	500,000.00	\$7,726.71	507,726.71
Israel Beckhardt, counsel for Eva Limer a \$7 preferred stockholder	2,000.00		2,000.00
Whitehorn & Cowin and Buchman & Buchman, counsel for two groups of holders of \$7 second preferred stock	27,500.00	578.65	28,078.65
Nathan B. Kogan, Samuel M. Koenigsberg & Victor Brudney, counsel for Sincoff common stockholders committee	19,000.00	2,016.75	21,016.75
Martin W. Davenport, financial consultant to Sincoff common stockholders committee	1,500.00	20.62	1,520.62
Spence, Hotchkiss, Parker & Duryea, counsel for common stockholders group	3,000.00		3,000.00
Burns, Blake & Rich, counsel for Blewend-Johnson common stockholders committee	35,975.00	2,770.06	38,745.06
P. Harold Peterson, financial expert for Blewend-Johnson common stockholders committee	12,189.00		12,189.00
Becker, Berman & Odell, counsel for Blewend-Johnson common stockholders committee	5,000.00	1,049.79	6,049.79
Expenses of Blewend-Johnson common stockholders committee		7,563.10	7,563.10
Total	1,251,948.60	68,320.29	1,320,268.89

* Beckhardt has filed a supplemental affidavit covering services rendered his client in bringing suit against Bond and Share but leaves the matter of the value of these services to the Commission.

* Electric has filed an application in which it states that Messrs. Kogan, Koenigsberg and Brudney have agreed to accept \$9,500.

* The Blewend-Johnson Common Stockholders Committee has submitted a request for reimbursement of disbursements in the amount of \$16,347.47 which includes the amounts of \$2,734.58 paid to Peterson and \$5,000 paid to Becker, Berman & Odell.

The above claims for compensation and reimbursement of expenses are sought to be paid out of the residuary assets of Electric. Bond and Share seeks reimbursement from Electric for its expenses with the exception of the proposed fee of Simpson, Thacher & Bartlett, whose services were limited to those aspects of the reorganization plan dealing with claims against Bond and Share based on alleged spoliation and mismanagement.

It appearing to the Commission that it is appropriate in the public interest that a hearing be held with respect to the matters set forth in said applications:

It is ordered, That a hearing on said applications pursuant to section 11 (e) and 18 of the act and the rules and regulations thereunder be held before the hearing officer heretofore designated to preside in these proceedings on April 4, 1950 at 10:00 a. m., e. s. t., at the offices of this Commission, 425 Second Street, NW., Washington 25, D. C. On said date the hearing room clerk will advise as to the room in which such hearing will be held. Any person who is not already a party, or who has not been granted leave to participate herein, who desires to be heard or otherwise wishes to participate, shall file with the Secretary of this Commission on or before March 31, 1950, a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of said applications and that on the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether the requested amounts for fees and expenses were incurred in rendering services which were necessary in connection with the reorganization plan and whether the requested amounts are reasonable.

(2) Whether Bond and Share may obtain recoupment from Electric for any expenses or disbursements incurred or made by it in connection with the said plan of reorganization.

(3) Whether there are any other factors apart from the nature and value of the services rendered and the capacity in which rendered, which would make any of the requests for compensation and reimbursement improper.

It is further ordered, That particular attention be directed in said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order, by registered mail, on the parties herein and those who have been given leave to participate in these proceedings and on the applicants herein, that notice of said hearing shall be given to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER.

By the Commission.

(SEAL) ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1758; Filed, Mar. 3, 1950;
8:50 a. m.]

[File No. 70-2333]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 27th day of February A. D. 1950.

Notice is hereby given that Appalachian Electric Power Company ("Appalachian"), an electric utility subsidiary of American Gas and Electric Company ("American Gas"), has filed an application pursuant to the Public Utility Holding Company Act of 1935 and has designated section 6 (b) thereof and Rule U-50 of the rules and regulations promulgated thereunder as applicable to the transactions therein proposed which are summarized as follows:

Appalachian proposes to issue and sell pursuant to the competitive bidding re-

quirements of Rule U-50, \$25,000,000 aggregate principal amount of First Mortgage Bonds, --% Series due 1980. Said Bonds will be issued under and secured by the company's Mortgage and Deed of Trust dated as of December 1, 1940, as supplemented by the First and Second Supplemental Indentures dated as of December 1, 1947, and March 1, 1950, respectively.

The application states that the net proceeds from the sale of the Bonds will be used in connection with the company's construction program. It is further stated that \$7,000,000 of the net proceeds will be deposited with the corporate trustee subject to withdrawal under the terms of the Mortgage.

Applicant requests that the bidding period provided by Rule U-50 be shortened to seven days so that bids may be received on March 21, 1950.

Notice is further given that any interested person may, not later than March 13, 1950 at 1:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 13, 1950 at 1:30 p. m., e. s. t., said application as filed, or as amended, may be granted as provided by Rule U-23 of the rules and regulations promulgated under the Act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application which is on file with the Commission for a statement of the transactions therein proposed.

By the Commission.

(SEAL) ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1757; Filed, Mar. 3, 1950;
8:50 a. m.]

[File No. 811-350]

TRUSTEED ANNUITIES, INC.

NOTICE OF MOTION TO TERMINATE REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 28th day of February A. D. 1950.

Notice is hereby given that the Division of Corporation Finance of the Commission has filed a motion for an order pursuant to section 8 (f) of the Investment Company Act of 1940 declaring that Trusteeds Annuities, Incorporated, a registered investment company, has ceased to be an investment company within the meaning of the act.

The Division of Corporation Finance has been advised that the company has been dissolved, that all of the assets have been liquidated, that all liabilities have been paid, and that all of the proceeds

have been distributed to certificate holders except for \$280.66 which is being held for fifteen holders who can not be located, and for expenses.

All interested persons are referred to said motion which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order declaring that the registration of Truited Annuities, Incorporated, has ceased to be in effect may be entered by the Commission at any time after March 16, 1950, unless prior thereto a hearing in this matter shall be ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than March 14, 1950 at 5:30 p. m., e. s. t., submit to the Commission in writing his views or any additional facts bearing upon this motion or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, No. 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the motion which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 50-1756; Filed, Mar. 3, 1950;
8:50 a. m.]

UNITED STATES MARITIME COMMISSION

MEMBER LINES OF ASSOCIATED STEAMSHIP
LINES (MANILA) AND PACIFIC/NETHER-
LANDS EAST INDIES CONFERENCES

NOTICE OF AGREEMENTS FILED WITH THE
COMMISSION FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended:

Agreement 5600-15 (Revised), between the member lines of the Associated Steamship Lines (Manila) Conference, modifies the basic agreement of said conference (No. 5600) to provide that member lines or their agents may handle or husband non-conference tonnage, provided such operation does not conflict or harm the interests of any of the member lines of the conference, and that members or their agents have not booked and will not book any cargo for such non-conference tonnage regardless of whether conference rates are observed. Agreement 5600 covers the establishment and maintenance of uniform rates, charges and practices for or in connection with the transportation of cargo from the Philippine Islands to or via ports in Ceylon, India, Pakistan, Malaya, East Indies, Indo-China, Burma, Siam,

Hong Kong, China, Korea, Japan, Siberia, United States of America, Canada, Cuba, Mexico, Central America, Canal Zone, South America, Caribbean Sea ports, the West Indies, Australia and New Zealand.

Agreement 6060-4, between the member lines of the Pacific/Netherlands East Indies Conference, modifies the basic agreement of the conference (No. 6060) to change the conference name to "Pacific/Indonesian Conference," and to substitute in the provision covering the territorial scope of the agreement, the designation "Republic of the United States of Indonesia" for the obsolete designation "Netherlands East Indies." Agreement 6060 covers the establishment and maintenance of agreed rates and charges for or in connection with the transportation of all cargo in the trade from United States and Canadian Pacific Coast ports to Netherlands East Indies.

Interested parties may inspect these agreements and obtain copies thereof at the Commission's Office of Regulation, Washington, D. C., and may submit to the Commission within 20 days after publication of this notice, written statements with reference to either of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: March 1, 1950, at Washington, D. C.

By the Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 50-1773; Filed, Mar. 3, 1950;
8:52 a. m.]

DEPARTMENT OF JUSTICE Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Return Order 557]

VVE. PAUL CHARLES RENE LANDORMY

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Vve. Paul Charles Rene Landormy, 109, rue du Cherche Midi, Paris, France; Claim No. 43853; January 10, 1950 (15 F. R. 104); \$79.85 in the Treasury of the United States. Property to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944, 9 F. R. 13768, Nov. 17, 1944), relating to the literary work "A History of Music" (listed in Exhibit A of said vesting order).

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on February 23, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1778; Filed, Mar. 3, 1950;
8:53 a. m.]

[Return Order 560]

HARRIETTE POST VON JESZENSZKY

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Harriette Post von Jeszenszky, Bernardsville, N. J.; Claim No. 5162; December 31, 1949 (14 F. R. 7952); \$61,883.16 in the Treasury of the United States. All right, title and interest of Harriette Post von Jeszenszky in and to the trust created under the will of George Browne Post, deceased.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on March 1, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1779; Filed, Mar. 3, 1950;
8:53 a. m.]

CLAUDE ANDRE PUGET

NOTICE OF INTENTION TO RETURN VESTED
PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Claude Andre Puget, 30, rue Montpensier, Paris, France; Claim No. 41209; property to the extent owned by claimant immediately prior to the vesting thereof described in Vesting Order No. 3552 (9 F. R. 6464, June 13, 1944) relating to a play entitled "Les Jours Heureux (The Happy Days)" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$523.50.

Executed at Washington, D. C., on February 27, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1780; Filed, Mar. 3, 1950;
8:53 a. m.]

[Vesting Order 14317]

HANS ERICH HOLLMANN AND RADIO PATENTS
CORP.

In re: Interests of Hans Erich Hollmann in agreements dated November 9, 1935, January 22, 1937, and May 29, 1937, between Hans Erich Hollmann and Radio Patents Corporation.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Erich Hollmann, whose last known address is Mittelstrasse 23, Berlin-Lichterfelde-Ost, Germany, is a

resident of Germany and a national of a foreign country (Germany);

2. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Hans Erich Hollmann by virtue of the following agreements (including all modifications thereof and supplements thereto, if any) by and between Hans Erich Hollmann and Radio Patents Corporation:

Agreement dated November 9, 1935 relating, among other things, to United States Letters Patent No. 2,046,513.

Agreement dated November 9, 1935 relating, among other things, to United States Letters Patent No. 2,081,746.

Agreement dated January 22, 1937 relating, among other things, to United States Letters Patent No. 2,154,127, and

Agreement dated May 29, 1937 relating, among other things, to United States Letters Patent No. 2,262,936.

is property payable or held with respect to patents or rights related thereto in

which interests are held by, and such property itself constitutes interests held therein by, the aforesaid national of a foreign country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 8, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1777; Filed, Mar. 3, 1950;
8:52 a. m.]